IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 23RD OCTOBER 2007 / 1ST KARTHIKA 1929

Bail Appl..No. 6432 of 2007()

[CRIME NO.603/2007 OF KOLLAM EAST POLICE STATION]

: PETITIONER/ACCUSED

JAYAKUMAR @ KICHU, S/O.MOHANAN PILLAI
@ THAMPI, VAYALIL PUTHEN VEEDU,
VELIYILKULANGARA, MUNDAKKAL VILLAGE,
KOLLAM DISTRICT.

BY ADV. SRI.B.MOHANLAL

RESPONDENT: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE SUB INSPECTOR OF POLICE, KOLLAM EAST POLICE
STATION, KOLLAM DISTRICT THROUGH THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.6432 of 2007

Dated this the 23rd day of October, 2007

ORDER

Application for anticipatory bail. The petitioner is the 2nd accused in a crime registered for offences punishable, inter alia, under Sections 452 and 379 I.P.C. On account of a quarrel with the defacto complainant, the accused persons, altogether 15 in number, are alleged to have trespassed into the residential building of the defacto complaint and indulged in acts of violence and mischief. Though it is alleged that a dangerous weapon-sword was used for commission of the offence, no injury has been suffered by any victims.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner can be granted anticipatory bail. In the absence of opposition, it is not necessary for me to advert to facts in any greater detail.

3. In the result, the Bail Application is, allowed. The following directions are issued under Section 438 Cr.P.C.

i) The petitioner shall appear before the learned Magistrate at 11 a.m on 30.10.2007. He shall be enlarged on regular bail on his executing a bond for Rs.25,000/- (Rupees Twenty Five thousand only)

with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 1 p.m on 31.10.2007 and thereafter as and when directed by the Investigating Officer in writing to do so;

iii) If the petitioner does not appear before the learned Magistrate as directed in clause (i), directions issued above shall thereafter stand revoked and the police shall be at liberty to arrest the petitioner and deal with him in accordance with law as if those directions were not issued at all;

iv) If the petitioner were arrested prior to his surrender on 30.10.07 as directed in clause (1) above, he shall be released from custody on his executing a bond for Rs.25,000/- (Rupees Twenty Five thousand only) without any sureties undertaking to appear before the learned Magistrate on 30.10.07.

(R.BASANT, JUDGE)

rtr/-